

REMARKS/ARGUMENTS

No Claims has been amended. No Claims has been cancelled without prejudice. No Claims has been added.

35 U.S.C. § 102(b) Rejections

Examiner rejected claims 1, 2, 7-9, 11, 12, 17-19, 21, 22, 30, 31, 39, and 40 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,006,256 (hereinafter "Zdepski"). The Applicants respectfully disagree and submit the following argument in defense of their position.

As understood by the Applicants, Zdepski describes the scenario described in the background section of the present application, where the interactive triggers have to be separately inserted into the television signal prior to broadcast to customers. This trigger insertion is described in Zdepski as being performed at a remote network. The broadcast station then inserts interactive content based on the triggers and then broadcasts the television signal. See Figure 1 and related discussion in Cols 3-4.

In contrast, claim 1 of the present invention requires "recognizing one or more elements in a broadcast data stream; and automatically inserting an interactive TV trigger into the broadcast data stream based on the recognized elements." (underline added for emphasis) In claim one, automated trigger insertion is performed on the broadcast data stream after its broadcasting from the television station. Therefore, Zdepski does not teach or suggest "recognizing one or more elements in a broadcast data stream" and "automatically inserting

an interactive TV trigger into the broadcast data stream based on the recognized elements,” as required by claim 1. Therefore claim 1 is allowable over Zdepski. Claims 2 and 7-9 are dependent on allowable claim 1 adding further limitations and are thus also allowable.

Claim 11 contains limitations similar to allowable claim 1 and is thus also allowable. Claims 12 and 17-19 are dependent on allowable claim 11 adding further limitations and are thus also allowable. Claim 21 contains limitations similar to allowable claim 1 and is thus also allowable. Claim 22 is dependent on allowable claim 21 adding further limitations and is thus also allowable. Claim 30 contains limitations similar to allowable claim 1 and is thus also allowable. Claim 31 is dependent on allowable claim 30 adding further limitations and is thus also allowable. Claim 39 contains limitations similar to allowable claim 1 and is thus also allowable. Claim 40 is dependent on allowable claim 39 adding further limitations and is thus also allowable.

35 U.S.C. § 102(b) Rejections

Examiner rejected claims 1, 2, 6, 7, 11, 12, 16, 17, 21, 26, 30, and 35 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,637,032 (hereinafter “Feinleib”). As an initial matter, the Applicants note that Feinleib does not appear to qualify as prior art under 102(b). Nevertheless, the Applicants respectfully disagree with the Examiner’s position, and submit the following argument in defense of their position.

As understood by the Applicants, Feinleib is directed to synchronizing interactive content insertion with a video program using the closed captioning

script. In contrast, the system described in the present invention has no need for such synchronization, since the interactive TV triggers dictate the timing of the interactive content provision. The system described in Feinleib does not teach, suggest, or describe such triggers and how to insert them into a broadcast data stream. Therefore, Feinleib does not teach or suggest "recognizing one or more elements in a broadcast data stream" and "automatically inserting an interactive TV trigger into the broadcast data stream based on the recognized elements," as required by claim 1.

Thus, claim 1 is allowable over Feinleib. Claim 2, 6, and 7 are dependent on allowable claim 1 adding further limitations and are thus also allowable. Claim 11 contains limitations similar to allowable claim 1 and is thus also allowable. Claims 12, 16, and 17 are dependent on allowable claim 11 adding further limitations and are thus also allowable. Claim 21 contains limitations similar to allowable claim 1 and is thus also allowable. Claim 26 is dependent on allowable claim 21 adding further limitations and is thus also allowable. Claim 30 contains limitations similar to allowable claim 1 and is thus also allowable. Claim 35 is dependent on allowable claim 30 adding further limitations and is thus also allowable.

35 U.S.C. § 103(a) Rejections

Examiner rejected claims 10, 20, 30, and 38 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,006,256 (hereinafter "Zdepski") in view of the known skill in the art.

However, since claims 10, 20, 30, and 38 depend on claims allowable over Zdepski (as argued above) and add further limitations, they are also allowable over Zdepski.

35 U.S.C. § 103(a) Rejections

Examiner rejected claims 3-5, 13-15, 23-25, and 32-34 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,006,256 (hereinafter "Zdepski") in view of U.S. Patent 6,577,346 (hereinafter "Perlman").

However, since claims 3-5, 13-15, 23-25, and 32-34 depend on claims allowable over Zdepski (as argued above) and add further limitations, they are also allowable over Zdepski in view of Perlman, since Perlman does not teach or suggest the limitations of the claims from which these claims depend.

35 U.S.C. § 103(a) Rejections

Examiner rejected claims 3-5, 13-15, 23-25, and 32-34 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,637,032 (hereinafter "Feinleib") in view of U.S. Patent 6,577,346 (hereinafter "Perlman").

However, since claims 3-5, 13-15, 23-25, and 32-34 depend on claims allowable over Feinleib (as argued above) and add further limitations, they are also allowable over Feinleib in view of Perlman, since Perlman does not teach or suggest the limitations of the claims from which these claims depend.

35 U.S.C. § 103(a) Rejections

Examiner rejected claims 6, 16, 26 and 35 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,006,256 (hereinafter "Zdepski") in view of U.S. Patent 6,637,032 (hereinafter "Feinleib").

CONCLUSION

Applicant(s) respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Adam Furst at (408) 947-8200.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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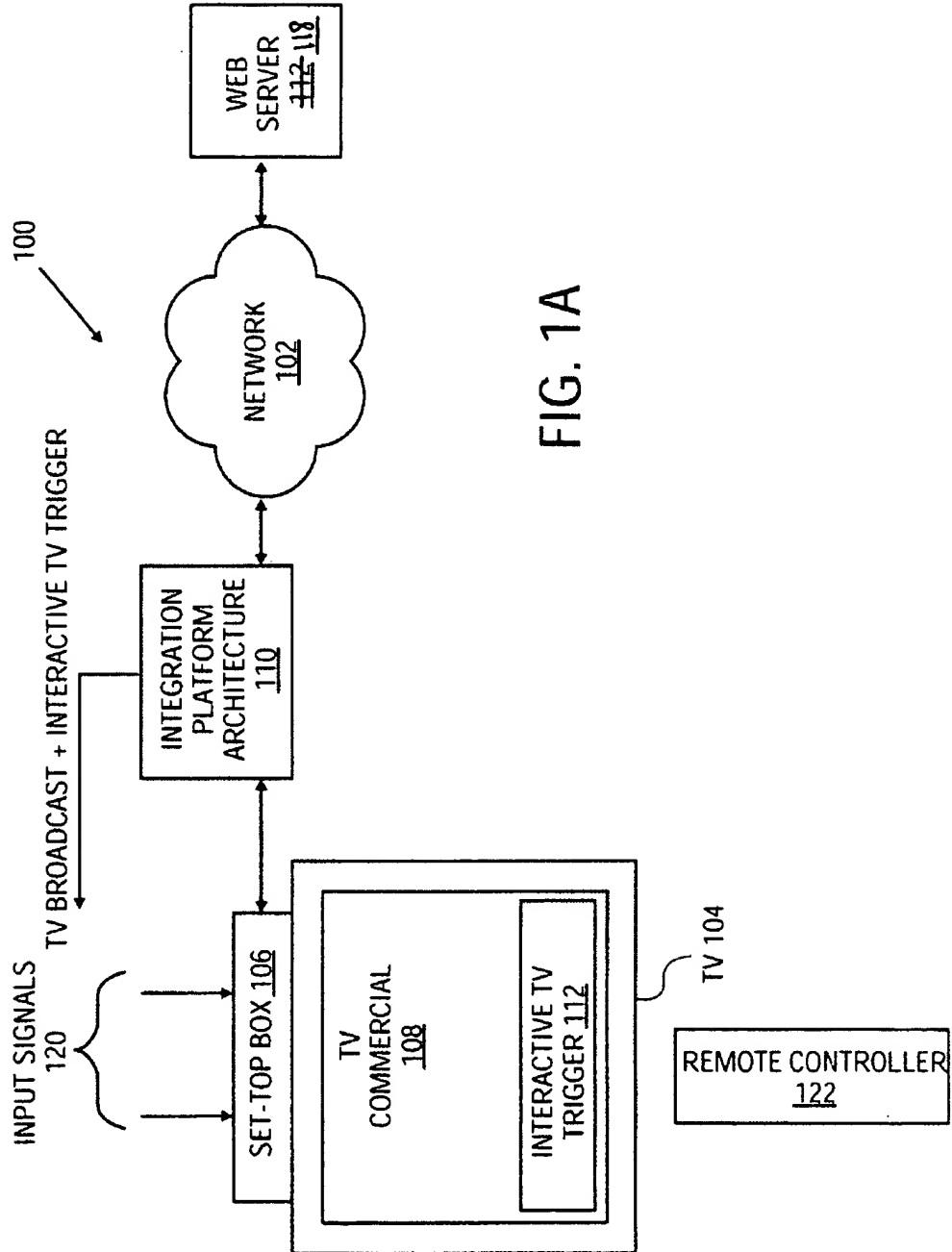


FIG. 1A